

United States
Department of the Interior
Bureau of Land Management

Miles City Field Office

Denbury Onshore, LLC
Install Buried Pipeline

Determination of NEPA Adequacy
DOI-BLM-MT-C020-2013-0074-DNA

For Further Information Please Contact:

Bureau of Land Management
Miles City Field Office
111 Garryowen Road
Miles City, Montana 59301
406-233-2800

BLM



DATE POSTED: 2/05/2013

DATE DUE: 2/12/2013

Worksheet
Documentation of NEPA Adequacy (DNA)

U.S. Department of the Interior
Bureau of Land Management (BLM)

BLM Office: Miles City Field Office

NEPA Number: DOI-BLM-MT-C020-2013-074-DNA

Case File/Project No: MTBIL 041865B

Proposed Action Title/Type: Install a buried pipeline/Sundry Notice

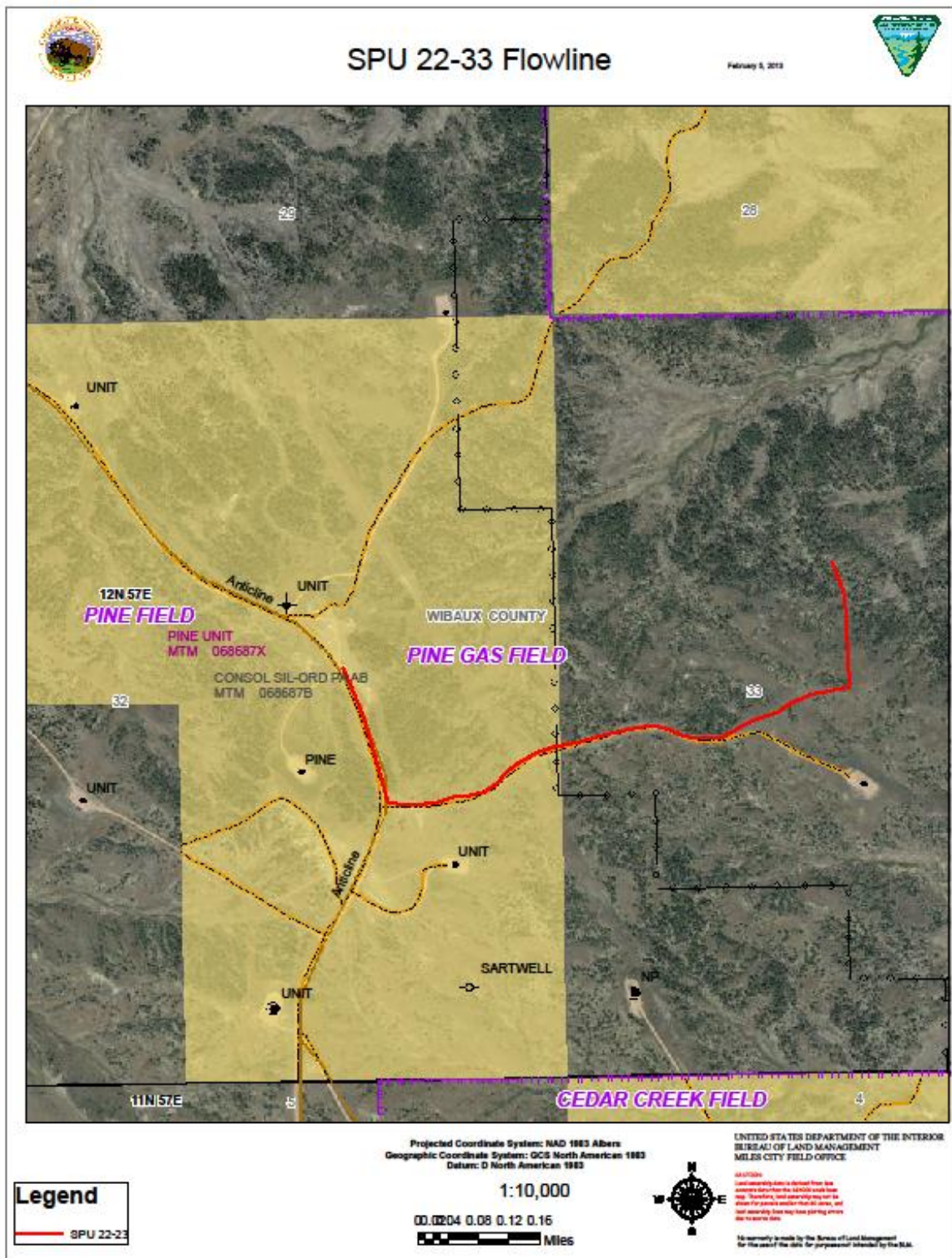
Location/Legal Description: T. 12 N., R. 57 E., Section 32 & 33, Wibaux County, MT

Table 1

Unit	Well Number	Pipeline Location	Surface Ownership	Pipeline(footages, bearing) (acres)
South Pine	South Pine 22-33	T12N R57E Sec. 32 & 33	BLM 2,322' in Sec. 32 Fee 2,946' in Sec. 33	5,268' x 30' N (3.6 acres)
Total Acres Disturbed: 3.6	---	---	---	1.6 acres BLM Surface 2.0 acres Fee Surface

A: Description of the Proposed Action: Denbury Onshore, LLC requests approval to install a 2½" star fiberglass pipeline from the South Pine South pine 22-33 well to the Section 32UL Facility. The proposed pipeline would cross 2,322 feet of BLM surface in section 32 and would be subject to federal approval authority. They would also cross 2,946 feet of fee surface/fee minerals in section 33 which is not subject to federal approval authority under the proposed action. The proposed pipeline would follow an existing road (see map 1). The pipeline would be buried 4 feet deep and the construction corridor would be 30 feet wide.

Construction is expected to begin as soon as approvals are received (subject to any timing restrictions for the protection of wildlife) and would take 3-4 days to complete. Disturbed surfaces would be reclaimed and reseeded after completion of work. Waddles and erosion mats would be put in place on slopes over 3:1 grade; the corridor would be cleared of all debris, material and equipment after completion of construction activities. The estimated total acreage of disturbance on BLM administered land would be approximately 1.6 acres and 2.0 acres on fee surface, with a total of 3.6 acres. However, disturbance would be less since cutting/blading would not be allowed throughout the entire 30 foot corridor.



Map 1- Project Area

Applicant: Denbury Onshore, LLC
County: Wibaux County, MT
DNA Originator: Jon David, Natural Resource Specialist

B. Land Use Plan (LUP) Conformance

LUP Name* Big Dry RMP/EIS Date Approved 4/96
Other document** [DOI-BLM-MT-020-2012-204-EA](#) Date Approved 07/27/2012

**List applicable LUPs (for example, resource management plans; activity, project, management, or program plans; or applicable amendments thereto)*

☐ The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

☒ The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) Big Dry RMP- Production and Development p. 321-325 and Record of Decision p. 13-15.

C. Identify applicable National Environmental Policy Act (NEPA) document(s) and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

[Denbury Onshore, LLC South Pine Unit well #23X-22A: DOI-BLM-MT-C020-2012-204-EA](#)

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation and monitoring report).

Cultural Project Number: MT-020-13-101

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial? The existing analyses are adequate with regard to the proposed action. The referenced EA analyzed impacts related to installing buried pipelines in the same geographic area. In addition, the RMP/EIS covers installation of pipelines. No significant new information or circumstances related to the proposed action have developed since completion of the referenced EA.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, resource values? Yes, the referenced EA analyzed a range of reasonable alternatives, including "No Action".

3. Is the existing analysis valid in light of any new information or circumstances (such as rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstance would not substantially change the analysis of the new proposed action? The existing analyses are adequate with regard to the proposed action. No significant new information or circumstances related to the proposed action have developed since completion of the referenced EA.

4. Are the direct, indirect and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document? Yes, the actions proposed would have the same direct and indirect impacts as those analyzed and addressed in the referenced EA. The RMP also analyzed the impacts of installation of pipelines.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action? Yes, the public had the opportunity to review the referenced EA. In addition, the RMP/FEIS had public and interagency involvement and review while being prepared.

E. Interdisciplinary Analysis: Identify those team members conducting or participating in the preparation of this worksheet.

REVIEWERS	TITLE	ASSIGNMENT	DATE/INITIALS
Kent Undlin	Wildlife Biologist	Wildlife	2/20/13 KU
Doug Melton	Archaeologist	Cultural Report	02/15/13 DM Cultural Report MT-020-13-101
Pam Wall	Realty Specialist	Lands/Realty	02-06-13/pw
Dan Benoit	Supervisory NRS	Reviewer	2/22/13 DAB



Environmental Coordinator

2/25/13

Date

F. Mitigation Measures: List any applicable mitigation measures that were identified, analyzed, and approved in relevant LUPs and existing NEPA document(s). List the specific mitigation measures or identify an attachment that includes those specific mitigation measures. Document that these applicable mitigation measures must be incorporated and implemented.

See Conditions of Approval Below

CONCLUSION

☒ Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of NEPA.

Note: If one or more of the criteria are not met, a conclusion of conformance and/or NEPA adequacy cannot be made and this box cannot be checked



Todd D. Yeager
Field Manager
Miles City Field Office

2/28/2013

Date

CONDITIONS OF APPROVAL

1. **Migratory Bird Treaty Act.** The Operator is responsible for compliance with provisions of the Act by implementing one of the following measures; a) **avoidance by timing**; ground disturbing activities will not occur from April 15 to July 15, b) **habitat manipulation**; render proposed project footprints unsuitable for nesting prior to the arrival of migratory birds (blading or pre-clearing of vegetation must occur prior to April 15 within the area scheduled for activities between April 15 and July 15 of that year to deter nesting, or c) **survey-buffer-monitor**; surveys will be conducted by an operator funded, BLM approved biologist within the area of the proposed action and a 300 foot buffer from the proposed project footprint between April 15 to July 15 if activities are proposed within this timeframe. If nesting birds are found, activities would not be allowed within 0.1 miles of nests until after the birds have fledged. If active nests are not found, construction activities must occur within 7 days of the survey. If this does not occur, new surveys must be conducted. Survey reports will be submitted to the BLM-Miles City Field Office.
2. Notify BLM (Jon David, 406-233-3665) at least 48 hours before beginning construction work.
3. All construction activities and associated vehicle traffic shall be contained in the 30' wide disturbance corridor as proposed with the Sundry Notice. Any variation from the approved route must be approved in advance by this office.
4. The operator shall be responsible for locating and protecting existing pipelines, power lines, telephone lines and other related infrastructure.
5. Vegetation removal from the proposed pipeline corridor shall be kept to a minimum to allow existing vegetation to re-establish in disturbed area. Blading to mineral soil is only allowed in areas where it is necessary to construct a level surface for equipment to operate.
6. Topsoil shall be removed before blading and stockpiled for reclamation.
7. No construction or routine maintenance activities shall be performed during periods when the soil is too wet to adequately support construction equipment. If such equipment creates ruts in excess of 4 inches deep, the soil shall be deemed too wet to adequately support construction equipment.
8. At drainage crossings, the pipeline shall be installed perpendicular to the drainage and banks must be reduced to maximum 3:1 slopes.
9. Erosion control measures, such as water bars or matting, shall be installed on 3:1 or steeper slopes or on slopes with bare soil.
10. The pipeline shall be tested for leaks before backfilling the trench.
11. Immediately following the pipeline testing, the open trench shall be backfilled and properly compacted to prevent settling, especially in drainage bottoms. Drainages shall be restored to their original grade and left in free-flowing condition. Topsoil shall be spread evenly over the disturbed area after the trench has been backfilled and compacted.
12. The pipeline corridor shall be cleaned up of all debris, material and equipment after completion of the construction activities.

13. All abandoned surface pipelines shall be removed and disposed of properly. All abandoned buried pipelines shall be purged with fresh water and plugged at least 3' below ground level. Oil, oily waste, hydrocarbons, salt water or other fluids harmful to the environment which might be present in the abandoned pipeline shall not be spilled onto the ground during purging operations and must be properly disposed of.
14. All disturbed areas on BLM surface shall be recontoured to the original contours with proper drainage established and seeded with the following requirements. All disturbed areas on BLM surface shall be seeded after October 1 (before ground freezes) or prior to May 15 (after ground thaws) at 6" drill row spacing at a depth of ¼" to ½" with the following mixture:

Combination must include at least four of the following species:

<u>Species</u>	<u>lbs/acre, pure live seed</u>
Western wheatgrass*	3.0
<i>Pascopyrum smithii, variety Rosanna</i>	
Green needlegrass	2.0
<i>Stipa viridula, variety Lodom</i>	
Slender wheatgrass	2.0
<i>Elymus trachycaulus ssp. trachycaulus, variety Pryor</i>	
Needleandthread	1.0
<i>Stipa comata</i>	
Bluebunch wheatgrass	2.0
<i>Pseudoroegneria spicata ssp. spicata, variety Goldar</i>	
Sideoats Grama	2.0
<i>Bouteloua curtipendula</i>	
Little bluestem	2.0
<i>Schizachyrium scoparium</i>	

*Shall be included in the mix. Thickspike wheatgrass may be substituted for wheatgrass only when western wheatgrass is unavailable.

15. All disturbed areas on private surface shall be reclaimed in accordance with private surface owner.
16. Reclamation work on BLM surface will be considered successful when the seeded area is stabilized, potential water erosion is effectively controlled and the vegetative cover is established with at least 60% of the species required.
17. The operator is responsible for the suppression of any fires started as a result of operations. The contractor must have the necessary equipment, including fire extinguishers or water, to provide initial suppression of fire.
18. The operator is responsible for informing all persons in the area who are associated with this project that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are uncovered during construction, the operator is immediately to stop work that might further disturb such materials, and contact the authorized officer (AO). Within five working days, the AO will inform the operator as to:
 - a) whether the materials appear eligible for the National Register of Historic Places;
 - b) the mitigation measures the operator will likely have to undertake before the site can be used (assuming in situ preservation is not necessary); and,
 - c) a timeframe for the AO to complete an expedited review under 35 CFR 800.11 to

confirm, through the State Historic Preservation Officer, that the findings of the AO are correct and that mitigation is appropriate.

If the operator wishes, at any time, to relocate activities to avoid the expense of mitigation and/or the delays associated with this process, the AO will assume responsibility for whatever recordation and stabilization of the exposed materials may be required. Otherwise, the operator will be responsible for mitigation costs. The AO will provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the AO that the required mitigation has been completed, the operator will then be allowed to resume construction.

19. The Operator shall be responsible for control of noxious weeds occurring as a result of lease operations. The operator or his contractor shall possess a BLM approved Pesticide Use Proposal (PUP) for spraying herbicides/pesticides on BLM administered surface estate.

You have the right to request a State Director Review (SDR) of this decision pursuant to 43 CFR 3165.3(b). An SDR request, including all supporting documentation, must be filed with the Montana State Office, State Director (MT-920) at 5001 Southgate Drive, Billings, Montana 59101-4669 within 20 business days of your receipt of this decision. If you are adversely affected by the State Director's decision, it can be further appealed to the Interior Board of Land Appeals (IBLA) in Washington D.C. pursuant to 43 CFR 3165.4, 43 CFR 4.411, and 43 CFR 4.413. Should you fail to timely request an SDR, or after receiving the State Director's decision, fail to timely file an appeal with the IBLA, no further administrative review of this decision will be possible